

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

RICHARD R. DIGGS,)	Civil Action No: 4:09-CV-3257-TER
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION,)	
)	
Defendant,)	
)	

On November 7, 2011, Counsel for the Plaintiff, Harry F. Smithson, filed a motion for attorney's fees and costs pursuant to the Social Security Act, 42 U.S.C. §406(b). The motion seeks reimbursement for counsel's representation in the captioned matter in the amount of \$15,698.00, which amounts to twenty-five percent of the past-due benefits withheld by the Social Security Administration for attorney's fees. The Defendant has indicated in his response to Plaintiff's motion that he does not oppose Plaintiff's motion for attorney's fees and "agrees that an award of attorney fees in the amount of \$15,698.00 (representing 29.5 hours of work before this Court) pursuant to 42 U.S.C. 406(b) is reasonable in light of the fee agreement between Plaintiff and her attorney and the services provided by her attorney in this action." (Doc. #21). The Court has reviewed Counsel's fee petition and the signed fee agreement that was submitted with the petition, and finds Counsel's request for fees reasonable.

Accordingly, **IT IS ORDERED** that Plaintiff's motion for attorney's fees pursuant to the Social Security Act, 42 U.S.C. §406(b), is granted in the amount of \$15,698.00.

AND IT IS SO ORDERED.

s/Thomas E. Rogers, III

Thomas E. Rogers, III
United States Magistrate Judge

February 28, 2012
Florence, South Carolina